COMMISSION DECISION
C/2006/3342 OF 27/07/2006

on the financial contribution of the Transition Facility for strengthening institutional capacity in the Republic of Poland
(Only the Polish text is authentic)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to the Act of Accession 2003, in particular Article 34 thereof,

Whereas:

(1) Article 34 of the Act of Accession provides the possibility of granting a temporary financial assistance, the Transition Facility, to the new Member States to address the continued need for strengthening institutional capacity in certain areas through actions which cannot be financed by the Structural Funds.

(2) The actions funded by this Decision in the areas of justice and home affairs, internal market, environment, veterinary services and food safety, administrative and control structures for agriculture are eligible for funding according to Article 34(2) of the Act of Accession. In addition, several needs have been identified in the Commission’s comprehensive monitoring report, which are not covered by the Structural Funds. The actions funded by this Decision in relation to those needs, in the areas of public finance, health, transport policy, energy and public administration, are therefore also eligible for funding under Article 34(2) of the Act of Accession.

(3) Pursuant to Article 34(4) of the Act of Accession, the Transition Facility is implemented in accordance with Article 53(1)(b) of Council Regulation 1605/2002 on the Financial Regulation applicable to the general budget of the European Communities.

(4) An Implementing Agency should be designated complying with the criteria set out in Article 164 of the Financial Regulation and having adequate staff resources. The Commission has satisfied itself in the context of preparation for conferral of management of aid provided under Phare, as well as through a number of other checks, that those criteria are fulfilled by the Central Finance and Contracts Unit of the Republic of Poland.

(5) The measures provided for by this Decision are in accordance with the opinion of the Committee on Aid for Economic Restructuring in certain countries in Central and Eastern Europe, rendered on 19 May 2006,
HAS ADOPTED THIS DECISION:

Article 1

The Commission approves a financial contribution of € 22,126,800.00 as Transition Facility to the Republic of Poland, to finance projects set out in point 4 of the Annex to the Decision.

Article 2

1. This Decision shall be implemented on a decentralised basis, in accordance with the Memorandum of Understanding on the Implementation of the Transition Facility, signed with the Republic of Poland on 5 November 2004.

2. The Central Finance and Contracts Unit shall be Implementing Agency for the Programme.

Article 3

1. Contracts covered by the financial contribution shall be signed no later than 15 December 2008.

2. The deadline for execution of contracts shall be 15 December 2009.

Article 4

This Decision is addressed to the Republic of Poland.

Done at Brussels, […]

For the Commission

[...]  
Member of the Commission
ANNEX

FINANCING PROPOSAL ON THE IMPLEMENTATION OF THE TRANSITION FACILITY IN POLAND FOR 2006

1. IDENTIFICATION

Beneficiary          Republic of Poland
Programme           Institution Building Transition Facility
CRIS-Number         2006/018-180
Year                2006
Cost                The total value of the actions to be financed from the Transition Facility: € 22,126,800.00
Implementing Authority       Central Finance and Contracts Unit (CFCU)
Expiry Date          Contracting: 15/12/2008
                      Execution of contracts: 15/12/2009
Sector Code
Objective 1: Strengthen Administrative Capacity (15040)
Objective 2: Internal Market (16320)
Objective 3: Environment and Health (41010 and 12191)
Objective 4: Agriculture, Veterinary and Food Safety (31120)
Objective 5: Justice and Home Affairs, and Fight Against Crime (15050)

Budget Line      22 03 01
Commission Task  MERILAI Kairi

2. SUMMARY

Article 34 of the Act of Accession establishes the Institution Building Transition Facility and indicates the basic orientation for its implementation.

The purpose of this Facility is to continue to provide assistance to the new Member States in order to strengthen their administrative capacity to implement Community legislation (acquis). As such, this an extension of the assistance provided until accession under the Phare programme.

The present Financing Proposal represents the 2006 Institution Building Transition Facility National Programme for Poland, amounting to a maximum of € 22,126,800.00.

While the last Phare National Programme (2003) was defined in accordance to the priorities as set out in the Accession Partnership and the Action Plan for Administrative and Judicial Capacity, the Institution Building Transition Facility is providing supplementary support to a number of sectors and issues identified in the 2003 Comprehensive Monitoring Report, and supported by the outcome of peer reviews and similar assessments.
The 2006 Institution Building Transition Facility for Poland will as such focus on the following sectors: Administrative Capacity, Internal Market, Environment and Health, Agriculture, Veterinary Services and Food Safety, Justice and Home Affairs and Fight Against Crime.

A two-year planning document indicating the priorities and objectives for the Institution Building Transition Facility Programmes 2005-2006 has been presented to the Phare Management Committee in October 2004.

3. STRATEGY

This programme is mainly based on the Commission’s 2003 Comprehensive Monitoring Report for Poland that identifies a number of areas where improvement is needed regarding adoption, implementation and enforcement of the *acquis*. Supplementary information was provided through the outcome of peer reviews, monitoring missions, and expert’s reports.

The Polish authorities submitted a list of priorities and proposals for funding under the IB Transition Facility on the basis of the requirements of the 2003 Comprehensive Monitoring Report. These priorities and proposals were transmitted for consultation and discussed in detail with relevant Commission Services. The final selection of projects for this Financing Proposal was based on the overall quality of the individual proposals.

Evaluation and results of past Phare projects were also taken into account when programming the IB Transition Facility. Lessons learned are usually drawn on a case by case basis, building on relevant experience acquired during the implementation of previous Phare projects in a specific area. Relevant information on lessons learnt and on the supporting background documentation is provided for in each project fiche.

Attention was paid to avoiding overlaps with other EU financial assistance instruments, programmed in the past years, as well as those came in force in 2005, and in particular the technical assistance provided for in the Community Support Framework, and the Operational Programmes of the Structural Funds and in the Cohesion Fund, as well as the Schengen Facility. Maximum synergy between all sources of funding has been considered and will continue to be pursued during the implementation of the measures.

4. OBJECTIVES AND DESCRIPTION

OBJECTIVE 1: STRENGTHENING ADMINISTRATIVE CAPACITY

*2006/018-180.01-01* Implementation and control of application of European standards for data communications systems in healthcare

Twinning Light Contract PL/06/IB/SO/01/TL

This project will help to improve health system effectiveness and increase health care quality in Poland. The project will endeavour to achieve synergy between national health systems in Europe. The project will involve the drafting of regulations regarding the control of standards and the preparations of data communications, the creation of handbooks with guidelines and a website promoting the standardisation of data communications in healthcare. Sixteen trainers will be trained in the data
communications systems in healthcare. The project will be implemented through twinning light and technical assistance.

**2006/018.01-02 Training in the field of phone services for the tax payers**

Twinning Light Contract PL/06/IB/TE/01/TL

This project will help to increase the quality of services provided by the employees of Tax Information Bureaus (TIB). It will improve the skills necessary in providing quality service to the taxpayers over the phone and improve the skills needed for handling questions sent via e-mail. In addition it will provide new managerial skills of the TIB's managers and supervisors. The project will be implemented through twinning light.

The project is conditional upon successful creation of Tax Information Bureaus.

**2006/018.01-03 Advanced training for tax auditors in the field of computer audit**

Twinning Light Contract PL/06/IB/FI/01/TL

This project will facilitate more efficient tax collection through the application of advanced e-audit techniques. It will improve the tax audit capacity in the field of e-audit and develop a training module to be used by the trained auditors for the purpose of training other tax auditors. The project will be implemented through Twinning light.

**2006/018.01-04 Local budget management system**

Twinning Contract PL/06/IB/FI/02

This project will further improve the public finance management in the local government sector through extension and development of the IT Local Government Budget Management (LGBM) System. The project will achieve the tools for monitoring financial situations in LGs in different categories and establish the rules and criteria for financial analysis of the operating and capital activities of LGs. The project will be implemented through twinning and technical assistance.

**2006/018.01-05 Comprehensive system for secondment of national experts**

Twinning Light Contract PL/06/IB/OT/01/TL

This project will strengthen the efficiency and effectiveness of assistance in terms of expertise and personnel provided by Poland in the area of EU development and humanitarian aid as well as crisis response projects. The goal is to design a coherent national system for the identification and deployment of national experts to the EU for the purpose of development and humanitarian assistance. The project will be implemented through twinning light.

**2006/018.01-06 Mobile telephony and new technologies in electronic communications**

This project will offer assistance for the Office of Electronic Communications (UKE) in providing effective regulation of the mobile telephony market and preparing the
office for regulation tasks based on new technologies. The project will improve UKE’s activity in compliance with standards applicable in the EU countries with regard to the development of the mobile telephony market and new technologies and adjust the regulatory methods used by UKE for the mobile telephone market and new technologies in order to achieve effective competition. The project will be implemented through technical assistance.

2006/018-180.01-07 Extension of institutional and organizational capabilities of the office for railway transport in the area of supervision of the railway market in Poland

This project will ensure the transparency and competitiveness of the railway market in Poland, by expanding the technical and organizational capacity of the Office for Railway Transport (UTK) in the field of monitoring and supervision in accordance with relevant EU solutions. It will provide access to essential information on market regulation, safety and interoperability for all entities existing on the railway market. The project will be implemented through technical assistance and investment (financed from Polish funds only).

2006/018-180.01-08 Institution Building unallocated envelope

This project will provide assistance (training, twinning light, short and medium-term expertise) that will be extremely useful in tackling future challenges. The project will also assist further implementation of the acquis communautaire in policy areas in which governmental activities are still necessary, and strengthen the institutional and operational capacity of public administration institutions in order to properly function in the structures of the European Union. The use of these funds is subject to prior approval of the European Commission. The project will be implemented through twinning light and technical assistance.

OBJECTIVE 2: INTERNAL MARKET

2006/018-180.02-01 Strengthening communicable diseases epidemiological surveillance in Poland

Twinning contract PL/06/IB/SO/02

This project will strengthen the capacity to manage the outbreak and control the spread of communicable diseases. It will strengthen the active surveillance on communicable diseases in Poland and provide the skills and knowledge in using computer analysis methods in epidemiology and outbreak management. It will also help monitor the trends in infectious disease and trends comparison across regions. The project will be implemented through twinning and investment (financed from Polish funds only).

2006/018-180.02-02 Competition and Consumer Policy

Twinning Light Contract PL/06/IB/OT/02/TL

This project will help to assure the same high level of consumer and competition protection activities in Poland as in the EU-15. It will provide competition and consumer protection professionals with tailored training on detailed aspects of the application of European law and procedures. It will provide entrepreneurs with the
necessary knowledge on consumer rights and business responsibilities within the internal market. Lastly it will boost the confidence of consumers and businesses alike within the market by providing reliable and accurate information on market. The project will be implemented through twinning light and technical assistance.

2006/018-180.02-03 Further strengthening of the Polish Customs Service

Twinning Contract PL/06/IB/FI/03

This project will further strengthen the administrative and operational capacity of the Polish Customs service (PCS) in the field of document management, fighting against illegal trade of valuables, monuments and works of art as well as improving the qualifications and knowledge of the Polish Customs officers. The project will be implemented through technical assistance, twinning and investment.

2006/018-180.02-04 Implementation of competitive energy market

This project will assist the Energy Regulatory Office (ERO) in developing the effective regulatory tools supporting the gas market liberalisation. It will also harmonize national supply quality standard requirements and assist the Regulator in preparations to fulfil requirements to open electricity and gas to household customers as of 1 July 2007. Lastly it will provide ERO staff with practical knowledge and organisational specifics. The project will be implemented through technical assistance.

OBJECTIVE 3: ENVIRONMENT AND HEALTH

2006/018-180.03-01 Training of water quality monitoring for State Sanitary Inspection

Twinning Contract PL/06/IB/EN/01

This project will continue the implementation of “acquis communautaire” within the scope of the directives regarding drinking water quality in particular Directive 98/83/EC and Directive 89/106/EEC with the aim of safeguarding human health and improving drinking water quality. The project will enable the development and achievement of risk management strategies for water-borne diseases and will examine the health effects and risks from new water treatment technologies and materials in contact with drinking water. Quality system management procedures will also be developed and finally guidelines will be created on monitoring and reporting methods for drinking water quality. The project will be implemented through twinning.

2006/018-180.03-02 Communication, public awareness and capacity building for the EU Natura 2000 ecological network

Twinning Contract PL/06/IB/EN/02

This project will strengthen the understanding of the conservation of biological diversity on the level of local stakeholders. It will also strengthen public awareness and capacity building for the management of the EU Natura 2000 network. There will be better dissemination of information on the regulations and financial instruments on nature conservation as well as the best practices of its implementation.
across EU 25. The project will also strengthen the cross-sectoral cooperation and communication process with stakeholders in the implementation of the Natura 2000 in Poland. The project will be implemented through twinning.

**2006/018-180.03-03 Development of national procedures concerning the placing of biocidal products on the market**

Twinning Light Contract PL/06/IB/EN/03/TL

This project will improve the consumer protection and legislation on placing biocidal products on the market. The project will involve the realization of complex training programmes in order to elaborate uniform guidelines and procedures describing requirements for the placing of biocidal products onto the market. The project will be implemented through twinning light.

**2006/018-180.03-04 Strengthening capabilities and capacities of the interdisciplinary laboratory at the national center of tissue and cell banking for the safety and quality control of human tissues used for transplantation**

This project will ensure the implementation of a Directive 2004/23/EC of the European Parliament and of the Council on setting standards of quality and safety for the donation, procurement, testing, processing, preservation, storage and distribution of human tissues and cells- safety and quality control. The project will be implemented through technical assistance and investment.

**2006/018-180.03-05 Development of institutional control over the safety and quality of human blood and blood component**

Twinning Contract PL/06/IB/SO/03

This project will ensure the safety of blood and blood components according to EU Directives and standards; development and strengthening of the haemovigilance and traceability system. The project will be implemented through twinning, technical assistance (financed from Polish funds only) and investment.

**OBJECTIVE 4: AGRICULTURE, VETERINARY AND FOOD SAFETY**

**2006/018-180.04-01 Improvement of implementation of food safety surveillance**

Twinning Contract PL/06/IB/EC/01

This project will increase food safety in Poland by the strengthening of food safety performance by the inspectors in RASFF (Rapid Alert System for Food and Feed), food hygiene, traceability, materials and articles intended to come into contact with food articles- up-grading and up-dating of information. It will also strengthen the surveillance tasks concerning food supplements and improve the monitoring of food additives. The project will be implemented through twinning and investment.

**2006/018-180.04-02 Development of integrated advisory system for farm management**

Twinning Contract PL/06/IB/AG/01
This project will develop an integrated advisory electronic system for farm management in Poland. The system will enable the building of institutional capacities directed to support farmers, rural inhabitants and other groups of farmers operating on rural markets. Such a system will be a very important tool of support for the realization of particular tasks within national strategic programmes. The project will be implemented through twinning and technical assistance.

**2006/018-180.04-03 Strengthening of the Polish veterinary administration in the scope of veterinary public health**

Twinning Light Contract PL/06/IB/AG/02/TL

This project will improve the institutional efficiency and strengthen the Polish veterinary administration in the field of appropriate implementation of EU legislation concerning food safety of animal origin. The project will be implemented through twinning light.

**2006/018-180.04-04 Preparation of agency for restructuring and modernization of agriculture for the implementation of new CAP reform**

Twinning Contract PL/06/IB/AG/03

This project aims at the overall strengthening and adjustment of the existing organisation, system and operational capacity of the Agency for Restructuring and Modernization of Agriculture (ARMA) pertaining to the requirements laid down in the EU regulations within the Common Agricultural Policy reform. Its effective implementation will be done with the extensive use of Integrated Administration and Control System/Land Parcel Identification System/Geographical Information System (IACS-GIS/LPIS). The project will be implemented through twinning, technical assistance (financed from Polish funds only) and investment.

**2006/018-180.04-05 Development of supervision and control system of agricultural products and foodstuffs with registered geographical indications (PGI), designations of origin (PDO) and certificates of specific character (TSG)**

Twinning Light Contract PL/06/IB/AG/04/TL

This project will further strengthen the administrative capacity aiming at the complete application of the relevant *acquis communautaire*. The project will contribute to establish a specific supervision and control system and as a result of this to guarantee that agricultural products and foodstuffs on the market whose names are protected are produced in compliance with a specific quality linked to the geographical origin in the case of PDOS and PGIs, and to traditional methods of production in the case of TSGs. The project will be implemented through twinning light.

**OBJECTIVE 5: JUSTICE AND HOME AFFAIRS AND FIGHT AGAINST CRIME**

**2006/018-180.05-01 Improvement of anticorruption activities in Poland**
Twinning Contract PL/06/IB/JH/01

This project will further strengthen the institutional and administrative capacity to prevent and combat corruption, particularly through training and the evaluation of the works of the Central Anticorruption Office (CAO) and the Ministry of Sport. The project will be implemented through twinning.

The project is conditional upon the establishment of Central Anticorruption Office (CAO) before the start of the implementation of the project. The staff of CAO will number approximately 500 officers and will become operational before the start of the project.

2006/018-180.05-02 Strengthening of the Polish justice system

Twinning Light Contract PL/06/IB/JH/02/TL

This project will improve the judicial proceedings in terms of cooperation of courts with court appointed experts. It will provide better access to law and to legal information for citizens and increase the efficiency of the application of the European law by the judiciary. Lastly it will increase the efficiency, security and reliability of the Ministry of Justice IT systems in order to provide citizens, business and units of the Ministry of Justice with constant access to data. The project will be implemented through twinning light, technical assistance and investment (financed from Polish funds only).

2006/018-180.05-03 Fight against crime

Twinning Contract PL/06/IB/JH/03

This project will reinforce the services responsible for the fight against crime and terrorism, and border protection. The project will improve the knowledge and skills of law enforcement services to fight against terrorism and reinforce border services for the prevention of fighting with cross-border organised crime, including further implementation of criminal analysis. In addition it will involve the preparation of Police Forensic Laboratories to PN-EN ISO/IEC 17025 standards and procedures. The project will be implemented through twinning.

2006/018-180.05-04 Support for regional and local communities to prevent drug addiction on the local level -continuation

Twinning Light Contract PL/06/IB/JH/04/TL

This project will improve public health and security and strengthen the institutional administrative capacity on the regional and local level in order to improve the implementation of the EU drug acquis. There will be a consolidation of regional expert networks for European cooperation. Local communities will be prepared for the evaluation of local drug strategies and action plans. Experts and activists from various sectors will be trained in evaluating drug prevention and treatment programs and to initiate drug monitoring on a local level. The project will be implemented through twinning light.
### 5. Budget (in M€)

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<tr>
<th>Objective</th>
<th>Total amount TF</th>
<th>Investment</th>
<th>IB</th>
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Co-financing for Institution Building projects is provided by the beneficiary bearing certain infrastructure and operational implementation costs, through financing the human and other resources, required for effective and efficient absorption of Transition Facility assistance.
Investments in small equipment must receive co-financing from national public funds. The Community contribution may amount to up to 75% of the total eligible public expenditure\(^1\).

6. **SPECIAL CONDITIONS**

In the event that agreed commitments are not met for reasons which are within the control of the Government of Poland, the Commission may review the programme with a view, at the Commission's discretion, to cancelling all or part of it and/or to reallocate unused funds for other purposes consistent with the objectives of the Transition Facility.