



Circular No: 10 - 2019
From: LEADER Policy and Operations Unit
To: All LAGs and Implementing Partners
Date Issued: 01 July 2019
Subject: Clarification

This Circular is being issued to provide clarification around a number of issues.

1. Instances where Legal Action involves LAGs and their Implementing Partners

Per Section 13.5 of the LEADER 2014 – 2020 Operating Rules, legal costs in actions taken by and against the LAG are not an eligible expense for LEADER funding.

All LAGs and their Implementing Partners **must** at the earliest possible opportunity advise the Department about any legal action that they are involved in, or could potentially be involved in, with regard to the LEADER programme.

It should be borne in mind that there is no obligation on the Department to provide a financial contribution to legal costs that may be incurred by any LAG or its Implementing Partner in respect of their delivery of the LEADER programme. Prior sanction from the Department would be required at the outset of the legal proceedings before any contribution towards such legal costs would be provided by the Department.

2. Information on the LEADER IT System

The information inputted by the LAGs and their Implementing Partners on the LEADER IT System **must** be correct and accurate at all times.



This information is used by the Department for management, monitoring and promotion purposes.

In particular, all project details must be correct when the project is moved to Stage 15 on the LEADER IT System.

It should be noted that the movement of a project back from Stage 15 is only permitted in exceptional circumstances and must not occur without the permission of the LEADER Policy & Operations Unit.

3. Project Contracts

Per Section 8.4 of the LEADER 2014 – 2020 Operating Rules;

“...The LAG should monitor and review the progress of all projects and engage with promoters, as appropriate. Expenditure incurred outside the contract timeframe, i.e. incurred between the conclusion of a contract and the date the LAG approves the extension, is ineligible.”

It is imperative that the LAGs monitor and review the progress of **all** projects and engage with promoters, as appropriate. Where projects are out of contract or are not being completed, these projects **must** be moved to Stage 16 on the LEADER IT System.

Where existing contracts have been granted an extension date, the project LEADER IT System record **must** be updated to reflect such an extension. LAGs are requested to review all existing contract expiry dates on the LEADER IT System and update same as necessary. This will ensure that the LEADER IT System contains the most up to date and accurate information.



4. Procurement

Per Section 15.4 of the LEADER 2014 – 2020 Operating Rules (National Procurement Guidelines) regarding the use of the Capital Works Management Framework (CWMF) documents:

“...c) Project promoters are advised to use the following suite of documents as being most suited to LEADER funded works projects;

- ***Works Declaration LEADER (WDL)***
- ***Tender & Schedule for Works FTS6***
- ***Instruction to Tenderers (ITT W4 or ITT W5)***
- ***Short Public Works Contract (PW-CF6)...***

Where the procurement requirement is to seek quotations from written specifications for works projects, there is no requirement to use the CWMF suite of template tendering and contract documents referred to under *Key issues - Sections (c)*. The CMWF documents are only applicable to works projects which are advertised on eTenders. It should also be noted that the Witness signatory to these documents must **not** be the project promoter or a person acting on the project promoter's behalf.

Thank you for your continued co-operation.

LEADER Policy & Operations Unit.

