

For attention of Erasmus+ Capacity Building in the Field of Higher Education Projects Coordinators with Ukrainian Universities.

I. The National Erasmus+ Office in Ukraine support.

NEO Ukraine provides consultations and assistance with specific issues on projects implementation in Ukraine:



- dissemination of projects information via its web-site (please send in English and Ukrainian languages e-mails with articles, news, announcements, press-releases etc.);
- specificity of Ukrainian legislation on implementation of the EU Technical Assistance Projects;
- useful materials of HERE team on Bologna Instruments implementation at Ukrainian higher education institutions in accordance with new Law of Ukraine On Higher Education;
- field monitoring (upon EACEA request, guidelines and procedures);
- projects registration in Ministry of Economic Development and Trade of Ukraine (document package at: <http://www.erasmusplus.org.ua/tempus-iv/instruktsii.html>);
- delays with State Treasury payments under project (Ukrainian partner should submit letter with details on the delay, including name of the project, date, purpose of payment, amount of invoice, when was submitted to State Treasury);
- visa support letters for Embassies (in English language via e-mail send details on the request: name, surname, position, role in the project, institution, passport#, project # and title, purpose of visit, dates, a copy of invitation letter).

It is recommended to invite to your events performed in Ukraine to learn about your project developments and to disseminate further for wider audience:

- 1) EU Delegation to Ukraine – representative of donor (Vira.RYBAK@eeas.europa.eu);
- 2) Ministry of Education and Science of Ukraine – key beneficiary (a_novosad@mon.gov.ua);
- 3) NEO-Ukraine – Programme representative (office@erasmusplus.org.ua);
- 4) Relevant stakeholders, beneficiaries.

II. Key National legislation documents for Erasmus+: CBHE projects implementation:

- All Erasmus+ projects are implementing in line with Law of Ukraine “On Higher Education”. English language version is available at: [Текст Закону України "Про вищу освіту" \(2014 р.\) - переклад англійською мовою](#)
- Inter-Governmental Agreement (ratified by Verkhovna Rada as a Law) in 2008. English language version is available at: [file:///D:/Windows/Мои%20документы/Ukraine_Framework%20Agreement_EN%20\(1\).pdf](file:///D:/Windows/Мои%20документы/Ukraine_Framework%20Agreement_EN%20(1).pdf);
- Cabinet of Ministers of Ukraine Regulation#153 <http://zakon4.rada.gov.ua/laws/show/153-2002-%D0%BF>;
- Cabinet of Ministers of Ukraine Regulation dated on 12.08.2015 № 579 – on the right of learning mobility: <http://www.kmu.gov.ua/control/uk/cardnpd?docid=248409199>;
- Cabinet of Ministers of Ukraine Regulation dated on September 2, 2015 p. № 719 – on university funds location at the state banks accounts <http://zakon0.rada.gov.ua/laws/show/719-2015-%D0%BF>;

- National Bank of Ukraine Regulations on currency obligatory selling and exempt for international aid and EU funded projects dated <http://zakon5.rada.gov.ua/laws/show/v0140500-16>;
- Letter from State Fiscal Service on international aid: 16.01.2016 № 765/6/99-99-19-03-02-15 and 30.01.2015 №2809/7/99-99-12-01-03-17

Ukrainian partners are highly recommended to read PAMYATKA (in Ukrainian language) with all other Laws and regulations with details and explanation as for national legislation rules.

III. Useful Resources and recommendations:

To help project teams to provide the new Law of Ukraine “On Higher Education” and Bologna Process instruments quality implementation, please ensure that EU partners work closely with Ukrainian partners on content, methods, methodologies and modern resources usage and approach with system to curricula modernization based on key documents like ESG, new ECTS User Guide, Qualification Framework etc. (translations into Ukrainian are available at [HERE](#) webpage).

Additionally, the universities are recommended to use the Higher Education Reform Experts - [HERE](#) materials and publications which are available at [HERE](#) web-page: <http://erasmusplus.org.ua/erasmus/ka3-pidtrymka-reform/natsionalna-komanda-ekspertiv-here/materiali-here.html>; the experts are available to provide trainings upon request where necessary.

It is recommended that project information with contacts and relevant logos are placed on University web-site for further dissemination within universities.

It is recommended that each partner university check at their home universities if they have/had other CBHE or Tempus projects to ensure cooperation and synergy. List of all Tempus IV projects with contacts for synergy for avoiding duplication is available at:

<http://www.erasmusplus.org.ua/2014-05-30-14-56-19/prezentatsii/category/6-novyny-ta-baza-proektiv.html>

EACEA materials for Erasmus+: Capacity Building in the Field of Higher Education Projects Teams with contractual documents, forms for final and intermediary reports, guidelines and other information for beneficiaries is available at:

http://eacea.ec.europa.eu/erasmus-plus/beneficiaries-space_en

The translation into Ukrainian language of all EACEA documents and other useful materials for beneficiaries (Grant and Partnership Agreements, Guidelines on How to Use the Grant, procedures and mechanisms etc.) are available at: <http://erasmusplus.org.ua/erasmus/ka2-proekty-spivpratsi/rozvytok-potentsialu-ex-tempus/vikonavtsyam-proektiv.html>

Please make sure all your partners receive necessary documents (like Grant Agreement with relevant Annexes) and that they understand perfectly their roles and obligations.

It is recommended to agree on transparent and equal treatment mechanisms with all necessary procedures for project implementation and finance management (Partnership Agreement, Memorandum, Minutes etc.).

It is recommended that university tests university account mechanism before final decision, capacity building on financial management of the accounting and international relation officers is critical to learn how to become coordinators.

It is highly recommended that the international relation and accounting offices are involved actively to help with project implementation for administrative support and coordination (their fees are eligible). Recommendations and other useful information for Ukrainian partners, including legislation, translations, templates are available at: <http://erasmusplus.org.ua/erasmus/ka2-proekty-spivpratsi/rozvytok-potentsialu-ex-tempus/vikonavtsyam-proektiv.html>

It is recommended to request official explanation with arguments and agreement of the university rector on finance management (where relevant).

It is important to remember that it is university cooperation, not individuals, please consult Guidelines on How to Use the Grant about finance management rules.

The currently major risks among other things are the following:

- lack of competencies and experiences on finance management at university accountants (until they try they never learn) and lack of administration support (NEO Ukraine is ready to provide training/ consultation);
- weak banking system (organization funds are not protected and no guarantee on the bankruptcy (only Court cases might help but will be costly and timely) which is not considered by Grant Agreement as a Force Major case; private accounts are guaranteed at the level of only 200000 UAH), so please request the university to verify situation with their bank;
- some uncertainty within national legislation, some bylaws might contradict to laws, or lack of definite mechanism (which can be managed if there is a will).

In case, any problem on managing the grant is communicated by the Ukrainian university, please request them to formulate it in details and send them to us for immediate assistance.

IV. Budget lines

Following budget lines university mechanisms samples from other projects to bear in mind:

Staff cost (university account): it is possible additionally to main employment contract with current staff member appointed by Ukrainian university for project tasks implementation to conclude Agreement (types are known by accountants, like civil-legal agreement, author agreement etc.), samples are simple and will help to transmit and trace all payments easily.

Travel costs and cost of stay (university account): there are national regulations for the rates on travel&cost of stay, if higher rates (e.g. due to university internal regulation or Partnership Agreement) applied, the difference on the amount, excluding tickets, visa, insurance and hotel cost (so called confirmed expenditures), is a subject of taxes. Pre-payment for business trips could be made by university in currency. If possible, e-tickets, e-reservation and payment for hotel could be made directly by coordinator (to hotel, e-booking) in order to avoid double losses due to currency exchanges.

Equipment (university account): According to the national legislation (Law on Public Procurement) if the project is officially registered, the rules of donors could be used for tendering. Otherwise, public tendering and ProZoro system rules should be applied.

Other option is a 3 party Agreement: payer/equipment provider/ university. Template for the 3 party Agreement is available at NEO page for implementers (registration is obligatory for VAT exempt and for usage of EACEA rules for tendering).

In case of equipment import the procedure includes necessity to uncustom goods which require special documents preparation and fees (registration is obligatory for custom fee exempt).

Request your partner to check with university rules for equipment purchase and tendering (verify provider banks reliability).

Subcontracting (university account): depending on services, agreements with invoices and protocols of delivery or 3 party agreements are possible (verify banks reliability).

V. Registration Documents.

Please provide to Ukrainian partners all documents required for obligatory registration, which allows the project the following:

- to be visible as a cooperation project at the governmental levels;
- to inform and receive support from key beneficiary – Ministry of Education and Science of Ukraine;

- to use the articles at all legislation regulations (e.g. budget code, tax code, custom regulations, national bank, public purchase law and others): the rules of the donor is used as subject of international agreement ratified by the Verkhovna Rada as a Law;
- the funds to be exempt from university income tax (20%);
- the funds to be exempt from obligatory selling of the 70% of currency;
- the goods (equipment etc.) and services to be VAT exempt;
- to use donors procedure and rules for tenders.

Obligatory registration process does not prevent usage of funds by the university and should be performed in parallel at the earliest stage.

At the same time in case the university is interested in funds to be kept at bank accounts in currency the project should be registered and received registration form before funds are transferred to the university bank account.

Please delegate to one Ukrainian partner, preferably located in Kyiv (if available) the task to register the project. NEO Ukraine has all templates available and will consult in details. The registration package has to be submitted to NEO Ukraine.

Composition of the registration package (according to the Regulation of the Cabinet of Ministers of Ukraine on the establishment of the system of attraction, use and monitoring of international technical aid, #153 as of 15/02/2002)

1. Letters of requests to the Ministry of Economic Development and Trade of Ukraine, signed by the Rectors/ Vice-Rectors of Ukrainian universities. Letters of request should contain names of ALL partners from Ukraine (both academic and non-academic). The template of the letter is available at:

2. Copy of the Grant agreement, verified/certified (signed and stamped) by the coordinator of the project + Ukrainian translation (translation is available).

2.1. Copy of the Annex 1 - Description of the Action with translation of this Annex.

3. Copy of the **partnership agreements (or memorandums of cooperation)** signed between the coordinator and Ukrainian partner (translation is available). These documents should contain name of the project, its objectives, terms of implementation, tasks assigned to every Ukrainian partner, obligations of the coordinator and partners, expected results, qualitative and quantitative criteria of assessment, list of equipment and services needed for project implementation, expected impact of the project in Ukraine.

4. Letter of support from the Ministry of Education and Science of Ukraine (in original).

5. Two originals of the Procurement Plan (according to the special form), signed by the Project Coordinator University authorized person (and stamp, if available) and endorsed (signed) by the Ministry of Education and Science of Ukraine.

All provided copies of the documents and their translation should be certified by the relevant department of Ukrainian universities.

Details and all above forms, translations and templates on registration are described at: <http://erasmusplus.org.ua/erasmus/ka2-proekty-spivpratsi/rozvytok-potentsialu-ex-tempus/vikonavtsyam-proektiv/1366-derzhavna-reiestratsiia-proektiv-yevropeiskoho-soiuzu-v-ukraini-erazmus-zvilnennia-vid-splaty-podatku-na-dodanu-vartist-myta-i-oboviazkovoho-prodazhu-valiuty-toshcho-zi-zminamy.html>

We are open for cooperation, please do not hesitate to contact us!