

# **FRAMEWORK AGREEMENT**

between

**THE SWISS FEDERAL COUNCIL**

and

**THE GOVERNMENT OF THE SLOVAK REPUBLIC**

On

**THE IMPLEMENTATION OF THE SECOND SWISS  
CONTRIBUTION TO SELECTED MEMBER STATES OF  
THE EUROPEAN UNION TO REDUCE ECONOMIC AND  
SOCIAL DISPARITIES WITHIN THE EUROPEAN UNION**

THE SWISS FEDERAL COUNCIL (hereinafter referred to as "Switzerland")

and

THE GOVERNMENT OF THE SLOVAK REPUBLIC (hereinafter referred to as the "Slovakia"),

hereinafter collectively referred to as the "Parties",

- NOTING the solidarity of Switzerland with the endeavours of the European Union (EU) to reduce economic and social disparities within the EU;
- COMMITTED to further reducing the economic and social disparities within the EU and within Slovakia;
- BUILDING upon the successful cooperation between the Parties during Slovakia's transition process leading to its accession to the EU and in the framework of the Swiss contribution to the enlarged EU;
- SHARING AND PROMOTING the fundamental values of democracy, the rule of law and political pluralism;
- RESPECTING AND DEFENDING human rights, human dignity and fundamental freedoms;
- REFERRING to the United Nations Sustainable Development Goals;
- HAVING regard to the friendly relations between the Parties;
- DESIRING to further strengthen these relations and the fruitful cooperation between the Parties;
- REFERRING to the "Memorandum of Understanding between the European Union and Switzerland on a contribution by Switzerland towards reducing economic and social disparities and for cooperation in the area of migration in the European Union" signed on 30 June 2022 for a total amount of CHF 1,302,000,000 (one billion three hundred and two million Swiss francs) to selected EU Member States for cooperation in the areas of cohesion and migration (hereinafter referred to as the "second Swiss Contribution");
- NOTING the cooperation in the area of migration of up to CHF 200,000,000 (two hundred million Swiss francs) under the second Swiss Contribution;
- IN VIEW of the cooperation in the area of cohesion of up to CHF 1,102,000,000 (one billion one hundred and two million Swiss francs) under the second Swiss Contribution.

hereby agree as follows:

## Article 1 – Definitions

For the purposes of this Framework Agreement:

“Contribution” means the maximum non-refundable financial contribution granted by Switzerland to Slovakia under this Framework Agreement;

“Country-Specific Set-Up” (Annex) means the thematic and geographic allocations of the Contribution and specific rules agreed between Switzerland and Slovakia as well as the attribution of responsibilities and tasks to entities involved in the implementation of the Swiss-Slovak Cooperation Programme and in Support Measures respectively;

“Memorandum of Understanding” means the Memorandum of Understanding between the European Union and Switzerland on a contribution by Switzerland towards reducing economic and social disparities and for cooperation in the area of migration in the European Union” signed on 30 June 2022 for a total amount of CHF 1,302,000,000 (one billion three hundred and two million Swiss francs) to selected EU Member States for cooperation in the areas of cohesion and migration;

“National Coordination Unit” means the national public entity of Slovakia designated to act on its behalf for the implementation of the Swiss-Slovak Cooperation Programme.

“Programme” means a coherent set of Programme Components carried out in line with national priorities, policies or strategies of the Partner State with the support of the Contribution comprising a single comprehensive implementation and budget framework with overarching goals. A Programme may be accompanied by a policy dialogue;

“Project” means an indivisible series of activities, carried out with the support of the Contribution, which is aimed at achieving agreed objectives and outcomes and is not part of a Programme;

“Regulations” means the Regulations on the implementation of the second Swiss Contribution in the area of cohesion issued by Switzerland and containing the general rules and procedures on the implementation of the Swiss-Slovak Cooperation Programme;

“Support Measure” is used as generic term and means a specific Project, Programme or Technical Support within the framework of the Swiss-Slovak Cooperation Programme;

“Support Measure Agreement” means an agreement between the Competent Authorities and, if need be, additional contracting parties, on the implementation of a Support Measure;

“Swiss-Slovak Cooperation Programme” means the bilateral programme for the implementation of this Framework Agreement;

“Technical Support” means part of the Contribution provided under the Swiss-Slovak Cooperation Programme for the preparation of Support Measures and for the efficient and effective implementation of the Swiss-Slovak Cooperation Programme.

## **Article 2 – Legal Framework**

1. This Framework Agreement, together with the following documents, constitutes the legal framework of the implementation of the second Swiss Contribution in the area of cohesion:

- (a) the Regulations and subsequent amendments thereof;
- (b) Support Measure Agreements, or other agreements between the Competent Authorities, resulting from the Framework Agreement; and
- (c) any operational procedures or guidelines adopted by Switzerland after consultation with Slovakia

2. In the event of conflicts/contradictions between the provisions of these instruments, the aforementioned order of precedence shall apply.

## **Article 3 – Objectives and Principles**

1. The overall objective of the Swiss-Slovak Cooperation Programme is to contribute to the reduction of the economic and social disparities within the EU and within Slovakia, building upon and further strengthening the bilateral relations between Switzerland and the EU and its Member States.

2. The Parties shall select Support Measures that contribute to the achievement of the overall objective and which, with the exception of Technical Support, contribute to at least one of the five objectives of the second Swiss Contribution, which are to:

- a) promoting economic growth and social dialogue, reducing (youth) unemployment;
- b) managing migration and supporting integration. Increasing public safety and security;
- c) protecting the environment and the climate;
- d) strengthening of social systems;
- e) civic engagement and transparency.

3. Support Measures, with the exception of Technical Support and unless otherwise agreed upon by the Parties, shall be assigned to at least one thematic area of cooperation, as set out in the Regulations. The Parties shall achieve a thematic concentration for the Contribution. Therefore, the Parties shall mutually agree on a limited number of thematic areas to receive support under the Swiss-Slovak Cooperation Programme, as set out in the Country-Specific Set-Up.

4. The Parties shall encourage partnerships and the exchange of expertise between actors from Slovakia and Switzerland.

5. Support Measures shall respect social inclusion and ensure environmental sustainability.

6. All actions under the Swiss-Slovak Cooperation Programme shall be implemented in line with the objectives, principles, strategic directions, geographical and thematic focus as outlined in the Country-Specific Set Up and the Regulations.

## **Article 4 – Financial Framework**

1. Switzerland agrees to grant a Contribution to Slovakia of up to CHF 44,200,000 (forty-four million two hundred thousand Swiss francs) with reference to the agreed thematic areas and geographic allocation and according to the indicative allocation defined in the Country Specific Set-Up.

2. The Contribution in paragraph 1 does not include expenditures of Switzerland for the management costs of the “Swiss-Slovak Cooperation Programme” and for the “Swiss Expertise and Partnership Fund Cohesion”. The latter shall be a fund administered by Switzerland, aimed at making Swiss expertise available to selected EU Member States, ensuring the quality and sustainability of Support Measures, strengthening bilateral relations and fostering partnerships between Switzerland and Slovakia.

3. The period of eligibility of expenditures from Support Measures, as defined in Chapter 6 of the Regulations, ends on 3 December 2029, inclusive. Funds not used until this date shall no longer be available to Slovakia.

4. Under the Swiss-Slovak Cooperation Programme, with the exception of the amounts reserved for Swiss management costs and the Swiss Expertise and Partnership Fund, the Contribution should be provided in the form of non-refundable grants or concessional financial facilities such as credit lines, guarantee schemes, equity, debt participation, and loans.

5. The financing from the Contribution shall not exceed 60% of the eligible expenditures from the Support Measure, except for:

- a) Projects or Programmes receiving additional financing in the form of budget allocations from national, regional or local authorities, in which case the financing from the Contribution may not exceed 85% of the total eligible expenditures;
- b) Projects or Programmes implemented by non-governmental organisations, which may be financed to a degree higher than 60% or fully by the Contribution;
- c) Technical Support, which may be financed to a degree higher than 60% or fully by the Contribution;
- d) Support Measures in the form of credit lines, guarantee schemes, equity and debt participation and loans to the private sector, which may be financed to a degree higher than 60% or even fully by the Contribution.

6. Slovakia shall ensure compliance with applicable rules on state aid and public procurement.

## **Article 5 – Principles for Support Measures**

1. Support Measures shall be implemented in accordance with the legal Framework pursuant to Article 2.

2. Slovakia is responsible for the identification of Support Measures, which are

- a. relevant and in line with national priorities;
- b. effective in addressing the identified needs;

- c. feasible and efficient to implement;
  - d. expected to have impact;
  - e. designed to create sustainable benefits.
3. Slovakia shall avoid any duplication of and/or overlap with any part of a Support Measure which is receiving support from any other structural and/or cohesion funds, such as the European Funds, the European Economic Area Financial Mechanism or the Norwegian Financial Mechanism, as the case may be.
4. Each Support Measure shall be approved first by Slovakia and then by Switzerland.
5. Each Support Measure shall be subject to a Support Measure Agreement.
6. The Parties attach high importance to the monitoring, evaluation and auditing of the Support Measures and the Contribution. Each Party shall share, without delay, any useful information requested by the other party. The Parties shall ensure effective coordination and monitoring of the Swiss-Slovak Cooperation Programme.
7. Switzerland, or any third party appointed to act on its behalf, shall have the right to visit, monitor, review, audit and evaluate all activities and procedures related to the implementation of the Support Measures as deemed appropriate by Switzerland. Slovakia shall provide any and all information, assistance and documentation, which may be requested or useful, to allow Switzerland to exercise such right.
8. In order to ensure effective implementation of the Swiss-Slovak Cooperation Programme, the Competent Authorities referred to in Article 6 shall hold annual meetings. The purpose of such meetings shall be to review the progress achieved in the Swiss-Slovak Cooperation Programme, agree on any necessary measures to be taken, and provide a forum for discussion of issues of bilateral interest.

## **Article 6 – Competent Authorities**

1. Slovakia has authorised a national public entity to act on its behalf as the National Coordination Unit (see Country-Specific Set-Up). The National Coordination Unit shall have overall responsibility for reaching the objectives of the Swiss-Slovak Cooperation Programme as well as for its implementation in accordance with this Framework Agreement.
2. Switzerland has authorised the Federal Department of Foreign Affairs, acting through the Swiss Agency for Development and Cooperation (SDC), and the Federal Department of Economic Affairs, Education and Research, acting through the State Secretariat for Economic Affairs (SECO), to act on its behalf for the implementation of the Swiss-Slovak Cooperation Programme. Support Measures are assigned to either the SDC or SECO in line with their respective fields of competence.

## **Article 7 – Liability**

The responsibility of Switzerland with regard to the Swiss-Slovak Cooperation Programme is limited to providing funds in accordance with the relevant Support Measure Agreements. No liability to Slovakia, to any public or private entity involved in a Support Measure or to any third parties is or will be assumed by Switzerland.

## **Article 8 – Common Concern**

The Parties share a common concern to prevent and fight against corruption, which jeopardises good governance and the proper use of resources needed for development, and, in addition, endangers fair and open competition in procurement procedures based upon price and quality. The Parties therefore agree to combine their efforts to fight corruption and, in particular, agree that any offer, gift, payment, remuneration or benefit of any kind whatsoever, made to whomsoever, directly or indirectly, with a view to being awarded a mandate or contract under this Framework Agreement, or during the performance hereof, will be construed as an illegal act or corrupt practice. Any act of this kind constitutes sufficient grounds for terminating this Framework Agreement and the relevant Support Measure Agreement, cancelling the procurement or resulting award, or taking any other proportionate corrective measure laid down by applicable law. The Parties shall promptly inform each other of any well-founded suspicion of an illegal act or corrupt practice.

## **Article 9 – Amendments**

1. Any amendment to this Framework Agreement shall be made in writing with the mutual agreement of the Parties.
2. Notwithstanding paragraph 1 above, the Country-Specific Set-Up may be amended by mutual agreement of the Competent Authorities referred to in Article 6 through an exchange of letters between them.

## **Article 10 – Final Provisions**

1. The Country-Specific Set-Up (Annex) shall form integral part of this Framework Agreement.
2. This Framework Agreement shall enter into force, after its signature, on the date of receipt of the last notification confirming the completion by both Parties of their respective approval procedures. It applies until both Parties have fulfilled all their obligations. The Parties shall provisionally apply this Framework Agreement and the Annex hereto commencing on the date on which this Framework Agreement is signed by both Parties.
3. Any dispute which may result from the application of this Framework Agreement shall be resolved by diplomatic means.
4. This Framework Agreement may be terminated at any time by one of the Parties giving six months' prior written notice. Prior to making such a decision, the Parties shall enter into consultation regarding the reasons for the termination.



5. In the event of termination of this Framework Agreement, its provisions shall continue to apply to the relevant Support Measure Agreements concluded before the termination of this Framework Agreement. The Parties shall decide by mutual agreement on any other consequences of the termination.

Signed in Bratislava on 19 September 2023, in two original copies in the English language.

For the Swiss Federal Council

H. Bury A

For the Government of the Slovak Republic

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**Annex**

**COUNTRY-SPECIFIC SET-UP**

**FRAMEWORK AGREEMENT**

between

**THE SWISS FEDERAL COUNCIL**

and

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On

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## 1. General provisions

- 1.1. This Country-Specific Set-Up is an integral part of the Framework Agreement between the Swiss Federal Council (hereinafter referred to as "Switzerland") and the Government of Slovak Republic (hereinafter referred to as "Slovakia") on the implementation of the second Swiss Contribution to selected Member States of the EU to reduce economic and social disparities within the EU (hereinafter referred to as the "Framework Agreement").
- 1.2. For the purposes of this Country-Specific Set-Up, the definitions in the Framework Agreement shall apply.
- 1.3. This Country-Specific Set-Up lays down the thematic and geographic allocations of the Contribution and the specific rules agreed between Switzerland and Slovakia, as well as the attribution of responsibilities and tasks to entities involved in the implementation of the Swiss-Slovak Cooperation Programme and in Support Measures respectively.
- 1.4. For specific rules and procedures not provided in the Country Specific Set-Up, the provisions of Regulations shall apply.

## 2. Roles and responsibilities for the Swiss–Slovak Cooperation Programme

### 2.1. National Coordination Unit

The Slovak Republic has authorised the Ministry of Investments, Regional Development and Informatization of the Slovak Republic (hereinafter referred to as "the Ministry") to act on its behalf as National Coordination Unit of the Swiss-Slovak Cooperation Programme. The Ministry is a public entity.

**The Department of EEA and Norway Grants and Swiss Contribution** (hereinafter referred to as "the Department") in the Ministry shall perform the tasks of the National Coordination Unit. The Department shall also perform the tasks of the Programme Operator in Programmes operated by the National Coordination Unit.

The separation of tasks and responsibilities of the Programme Operator and the NCU will be set out in the description of the management and control system which will be forwarded to Switzerland with the audit opinion of the Audit Authority.

The role and responsibilities of the National Coordination Unit are set out in the Regulations.

### 2.2. Intermediate Body

Not applicable.

### 2.3. Paying Authority

The Paying Authority is the Ministry.

The Section of Financing of Funds in the Ministry shall act as the Paying Authority.

The roles and responsibilities of the Paying Authority are set out in the Regulations.

## 2.4. Audit Authority

The Audit Authority is the Supreme Audit Office of the Slovak Republic. The Supreme Audit Office of the Slovak Republic is a public entity that is independent of the National Coordination Unit, Paying Authority and Executing Agencies.

The roles and responsibilities of the Audit Authority are set out in the Regulations.

## 3. Parameters of cooperation

### 3.1. Thematic allocation

<b>Specific objective &amp; thematic area</b>	<b>Indicative allocation of the Contribution [in CHF millions]</b>
<b>1. Promoting economic growth and social dialogue, reducing (youth) unemployment</b>	
(i) Vocational and professional education and training	5.75
(ii) Research and innovation	0.00
(iii) Financing for micro, small and medium-sized enterprises	0.00
<b>2. Protecting the environment and the climate</b>	
(vi) Energy efficiency and renewable energy	0.00
(vii) Public transport	0.00
(viii) Water and waste-water management	0.00
(ix) Waste management	0.00
(x) Nature conservation and biodiversity	22.80
<b>3. Strengthening of social systems</b>	
(xi) Health and social protection	15.00
(xii) Minorities and socially disadvantaged groups	0.00
<b>4. Technical support</b>	
(xiv) Technical Assistance Fund	0.65
(xv) Support Measure Preparation Fund	0.00
<b>Total allocation</b>	<b>44.2</b>

Any unused balances in all the Support Measure of the Swiss-Slovak Cooperation Programme may be transferred to any other approved Support Measure provided the feasibility until the end of the eligibility period, by mutual agreement (e.g. confirmed by correspondence) between the Competent Authorities mentioned in Article 6 of the Framework Agreement in the course of the

implementation of the Swiss-Slovak Cooperation Programme. For the consequent modification of the Support Measure, Article 4.12 Regulations shall apply.

### 3.2. Geographic allocation

The following less-favoured regions shall receive at least 50% of the Contribution:

- Eastern Slovakia
- Central Slovakia
- Western Slovakia

### 3.3. Pre-specified parameters per thematic area

#### (i) Vocational and professional education and training

##### Directly selected or pre-identified Support Measures

Support Measure name	Improving quality and attractiveness of the initial and higher vocational education and training (VET)
Support Measure type	Project
Objectives	The Support Measure aims to improve the quality, flexibility and attractiveness of the initial and higher VET in Slovakia. It is assumed this will lead to increased youth versatility on the labour market, thereby contributing to the reduction of (youth) unemployment including from disadvantaged groups.
Strategic Focus	<p>The Project shall bring flexible permeability to the educational system. It shall increase the interconnection of vocational education with labour market needs through the adjustment and innovation of the existing vocational education fields. To this end, the dual approach in VET shall be strengthened, new education fields and qualifications created, technical school leaving exams reformed and career counselling services improved.</p> <p>In the long-term a flexible and permeable vocational education system reflecting the labour market needs will promote economic growth, decrease unemployment rates, including that of youth and marginalized groups and reduce youth inactivity.</p> <p>The Project shall be implemented at a national level, thus covering the whole of Slovakia, incl. the less-developed regions.</p>

Swiss indicative Commitment	[Amount in Swiss francs]	5.75 mil
Project Operator	State Institute of Vocational Education (SIVE)	
Swiss Support Measure Partner(s)	Competent Swiss expert institutions in the field of VET, e.g. Swiss authorities, academia and other organisations or associations.	
Other specificities related to the Support Measure	The Ministry of Education, Science, Research and Sport of the Slovak Republic shall actively participate in, and effectively contribute to, the preparation and implementation of the Support Measure. Further relevant institutions in the Slovak Republic in charge of the policy area in question can be actively involved in the preparation and implementation of the Support Measure, e.g. as members of the Steering Committee.	

**(x) Nature conservation and biodiversity**

**Directly selected or pre-identified Support Measures**

Support Measure name	Promoting Sustainable Tourism and Strengthening Biodiversity in Protected Areas
Support Measure type	Programme
Objectives	The Support Measure aims to i) promote sustainable tourism in and around protected areas and ii) support ecosystem and biodiversity protection in these areas.
Strategic Focus	<p>The Programme will serve the main ambitions of strengthening biodiversity and increasing the potential of protected areas for sustainable tourism, in line with the relevant legislation and strategic documents of Slovakia.</p> <p>The Support Measure will consist of one, directly selected Programme Component and one call for Programme Component proposals. The directly selected Programme Component shall focus on a comprehensive approach to promote sustainable tourism in and around protected areas. The pilot initiatives on conservation and/or restoration of biodiversity in the protected areas shall be selected through a call organised by the Programme Operator in close cooperation with the Ministry of Environment of the Slovak Republic.</p>

Swiss indicative Commitment	[Amount in Swiss francs]	22.8 mil
Programme Operator	Ministry of Investment, Regional Development and Informatization of the Slovak Republic	
Swiss Support Measure Partner(s)	Swiss partners may consist of competent Swiss authorities, academia, NGOs and other competent organisations or associations (to be specified in the Support Measure Agreement)	
Other specificities related to the Support Measure	<p>The Programme Component Operator for the directly selected Programme Component shall be the Ministry of Environment of the Slovak Republic.</p> <p>The Ministry of Environment of the Slovak Republic shall actively participate in, and effectively contribute to, the preparation and implementation of the Support Measure.</p> <p>Further relevant institutions in the Slovak Republic in charge of the policy area in question can be actively involved in the preparation and implementation of the Support Measure, e.g. as members of the Steering Committee.</p> <p>The call for Programme Component proposals shall be open to public and non-public institutions active in the field of environment, including local and regional self-government regions.</p> <p>The Support Measure shall create complementarity and synergies with other sources of funding, such as the EU Recovery and Resilience Facility, under which similar activities in two Slovak National Parks are currently supported.</p> <p>The Support Measure will be implemented in underdeveloped regions (NUTS II) within the meaning of Article 2.7 of the Regulations on the implementation of the second Swiss Contribution ("the Regulations").</p>	

(xi) Health and social protection

Directly selected or pre-identified Support Measures

Support Measure name	Swiss-Slovak Health Programme
Support Measure type	Programme
Objectives	The Support Measure aims to support the implementation of the Slovak Strategic framework for health care for 2014-2030 in particular the prevention and control of non-communicable disease (NCD) and the advancement of health promotion.
Strategic Focus	<p>The Support Measure should strengthen cooperation between the national and regional structures in order to provide comprehensive and improved services to citizens and improve disease prevention especially among vulnerable groups of population.</p> <p>The Support Measure shall contribute to effective delivery of the public health and health care strategy, capitalizing best practices and developing methodologies of national importance by the Ministry of Health of the Slovak Republic (MoH) as guidance and tools for regional self-governments implementing the strategy in the field of disease prevention and health promotion at the regional level.</p> <p>Furthermore, the Support Measure shall support strategic health promotion at the municipal level via pilot municipalities, which will be empowered to prepare initiatives in the spirit of the WHO European healthy city network. This is considered to raise awareness and interest of municipalities in Slovakia to systemically include health aspects in their development.</p> <p>The Support Measure will consist of one directly selected Programme Component and one call for Programme Component proposals. The directly selected Programme Component with the focus on health promotion and disease prevention aims to provide the regional Self-governments with the methodology framework, know-how and the best practices identified by the MoH. The pilot initiatives at the municipal level focused on activities promoting health and healthy lifestyle shall be selected through a call for Programme Component proposals.</p>

Swiss indicative Commitment	[Amount in Swiss francs]	15 mil
Project or Programme Operator	Ministry of Investments, Regional Development and Informatization of the Slovak Republic	
Swiss Support Measure Partner(s)	Competent Swiss expert institutions in the field of clinical and public health, e.g. health promotion and NCD prevention and control.	
Other specificities related to the Support Measure	<p>The Ministry of Health of the Slovak Republic shall actively participate in, and effectively contribute to, the preparation and implementation of the Support Measure. It will be the Programme Component Operator for the directly selected Programme Component directly selected.</p> <p>The call for Programme Component proposals will support municipalities in building a pilot network in the spirit of "Healthy Cities" approach.</p> <p>Further relevant institutions in the Slovak Republic in charge of the policy area in question can be actively involved in the preparation and implementation of the Support Measure, e.g. as members of the Steering Committee.</p>	

#### 4. Partner State specific rules and procedures

Switzerland and Slovakia agree to the following specific provisions in derogation / modification / complement / specification of the Regulations:

The following Paragraphs 4 and 5 shall be added to **Article 6.8** of the Regulations:

4. Swiss, or any other foreign organisations or bodies or agencies, whose primary location is outside Slovakia shall submit a report by an independent auditor qualified to carry out statutory audits of accounting documents, certifying that the costs claimed are incurred in accordance with the Regulations, the national law and relevant national accounting practices. This report shall, subject to paragraph 1, be accepted as sufficient proof of expenditure incurred. The principle of proportionality shall be respected.

A report issued by a competent and independent public officer recognised by the relevant national authorities as having a budget and financial control capacity over the entity incurring the costs and who has not been involved in the preparation of the financial statements, certifying that the claimed costs are incurred in accordance with the Regulations, the relevant law and national accounting practices, shall, subject to paragraph 1, also be accepted as sufficient proof of expenditure incurred.

5. Upon request by the SECO/SDC, the organisations referred to in Art. 6.8, paragraph 4 above shall grant access to the supporting documents on the basis of which the report referred to



in paragraph 4 was issued. This right to access shall be based on a clause in the contractual relation between the NCU and the organisation.

The Paragraph 1 of **Article 7.2** of the Regulations shall be replaced by the following:

1. During the approval procedure for Support Measures as stipulated in Article 4.7 and, where applicable, during the subsequent approval procedure for Programme Components and amendments to Support Measures resulting in additional procurements, Switzerland will **select a limited and well justified number** of public procurements for which:
  - a) Switzerland requests a copy of relevant parts of the tender documents (including draft contracts) for non-objection prior to the commencement of the procurement procedure. For such cases, the NCU shall submit the relevant parts of tender documents to the SCO for an assessment to be completed within **10 working days**. As a result of this assessment, Switzerland may recommend adjustments to the tender documents. These recommendations may be taken into account and the SCO shall be informed accordingly;
  - b) a notice with basic information on the tender, based on the template provided by Switzerland, is requested for the announcement of the tender in Switzerland. The notice shall be submitted to the SCO no later than five working days before publication of the tender in order to allow an announcement of the tender in Switzerland shortly after the announcement of the tender in the Partner State;
  - c) Switzerland requests an English translation of the tender documents to be made available to bidders.

In its selection, Switzerland will focus on public procurements above 500'000 CHF, but could also include smaller public procurements for studies to be financed under the Support Measure Preparation Fund.

The following Paragraph shall replace Paragraph 4 of **Article 9.2** of the Regulations:

4. A non-statistical sampling method may be used on the professional judgment of the Audit Authority, to be duly justified in the audit strategy, in accordance with internationally accepted audit standards and in any case where the number of Projects or Programme Components for a year is insufficient to allow the use of a statistical method.

The non-statistical sampling method shall cover a minimum of 10% of Projects or Programme Components for which expenditure has been declared during a year and a minimum of 15% of the expenditure which has been declared during a year.

The following Paragraph 5 shall be added to **Article 9.2** of the Regulations:

5. Switzerland and Slovakia have agreed to rely for the audit of both the financial regularity and the internal control system on statutory financial external audit reports in accordance with internationally accepted audit standards. The Audit Authority may appoint an external certified auditor for each Project and Programme Component, to be paid from the respective budget of the Project or Programme Component. For Projects and Programme Components not exceeding CHF 500,000, the audit shall be carried out after the Project or Programme Component completion. Non-statistical sampling method shall be used to verify the legality and regularity of expenditure, as described in Article 9.2.4 of the Regulations.

The following Paragraph 3 shall be added to **Article 9.4** of the Regulations:

3. Access according to paragraph 2 above to locations and facilities shall be contingent upon the period set forth in Article 4.15, paragraph 2 and 3 of the Regulations.

In the event of a conflict between the Regulations and these specific provisions, the specific provisions of this Annex shall prevail.